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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,435	07/03/2003	Norihiro Edwin Aoki	AOL0118	5118

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EXAMINER	
WON, MICHAEL YOUNG	
ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/613,435	AOKI ET AL.	
	Examiner	Art Unit	
	MICHAEL Y. WON	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 January 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *11-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *11-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the amendment filed January 24 2008.

2. Claims 14, 20-22, 25 and 26 have been amended new claims 28-31 have been added.

3. Claims 11-31 have been examined and are pending with this action.

4. In response to the confusion expressed by the applicant(s), the previous REJECTION of claims 21 and 22 under 35 U.S.C. 101, in the office action filed June 27, 2007, has been withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 11-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maltby et al. (US 6,202,100 B1) in view of Agrawal et al. (US 2003/0120680 A1).

INDEPENDENT:

As per **claim 11**, Maltby teaches a method of communications between first and second computers having an open connection (see Fig.2), the first and second computers running respective application programs providing a window at each computer for displaying an exchange of text messages (see col.6, lines 33-36: "both the first and second computers run conferencing applications, which are responsible for exchanging messages between the first and second computer"), the method comprising operations of:

the application programs cooperatively replicating contents and format of a clipboard provided by an operating system running at the first computer in a clipboard provided by an operating system running at the second computer (see col.7, lines 49-50: "The contents of CLIPBOARD A are thus reproduced on CLIPBOARD B" and col.9, lines 1-4: "transmits all the available clipboard formats, thereby allowing general clipboard transfer over the network");

where the operation of replicating the contents is completed only in response to performance of each of the following actions:

the first computer receiving a predetermined user input sequence including invocation of a predetermined clipboard paste command of the operating system running at the first computer (see col.1, lines 51-58: "The user (generally with a mouse and cursor) would identify the text to be copied from the first (server) application, and then select the appropriate menu option to place this text the clipboard"), where the predetermined user input sequence is performed in conjunction with the window at the first computer (see col.6, lines

34-44: “The conferencing applications are also responsible for interacting via the clipboard with the first and second applications at their respective computers”);

the application program running on the second computer presenting a user prompt in conjunction with the window of the second computer (see col.3, lines 23-25: “At this stage the pasted material is visible as if a normal clipboard transfer had been performed”; lines 38-43: “possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object”; col.4, lines 50-57; col.7, lines 66-67: “become available for user selection”; and col.8, lines 8-11: “user selects the clipboard entry”), the user prompt including notification that clipboard contents and format from the first computer are available to the second computer (see col.3, lines 28-38: “contains extra information over and above the bit map, text, or whatever representing the appearance of the object: it also contains… a native format”);

the application program running on the second computer detecting user selection of the user prompt (see col.7, lines 64-67: “and become available for user selection”).

Maltby does not explicitly teach that the messaging application program is an Instant Messaging (IM) application program running an IM window.

Agrawal teaches that a messaging application program is an Instant Messaging (IM) application program running an IM window (see col.2, [0030]: “The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) application program running an IM window. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

As per **claim 12**, Maltby teaches a method of communications between first and second computers having an open connection (see Fig.2), the first and second computers running respective application programs providing a window at each computer for displaying an exchange of text messages (see col.6, lines 33-36: "both the first and second computers run conferencing applications, which are responsible for exchanging messages between the first and second computer"), the method comprising operations of:

the application programs cooperatively replicating contents and format of a clipboard provided by an operating system running at the first computer in a clipboard provided by an operating system running at the second computer (see col.7, lines 49-50: "The contents of CLIPBOARD A are thus reproduced on CLIPBOARD B" and col.9, lines 1-4: "transmits all the available clipboard formats, thereby allowing general clipboard transfer over the network");

where the replicating, operations comprise:

responsive to the first computer receiving a predetermined user input sequence including invocation of a predetermined paste command of the operating system running at the first computer (see col.1, lines 51-58: "The user (generally with a mouse and cursor) would identify the text to be copied from the first (server) application, and then select the appropriate menu option to place this text the clipboard"), where the predetermined user input sequence is performed in conjunction with the window at the first computer (see col.6, lines 34-44: "The conferencing applications are also responsible for interacting via the clipboard with the first and second applications at their respective computers"), the application program running on the first computer performing operations including uploading contents and format of the clipboard of the operating system running at the first computer (see col.7, lines 58-60: "to obtain the list of formats in which the data on the clipboard is available");

responsive to the application program running on the first computer receiving user entry of a send command, the application program running on the first computer transferring said uploaded contents and format to the second computer (see col.3, lines 28-38: "contains extra information over and above the bit map, text, or whatever representing the appearance of the object: it also contains… a native format"; and col.7, lines 32-36: "CLIP SEND uses the COMMS system to send a message to terminal B");

responsive to receiving the transferred contents and format, the application program running on the second computer presenting a user prompt in

conjunction with the window of the second computer (see col.3, lines 23-25: "At this stage the pasted material is visible as if a normal clipboard transfer had been performed"; lines 38-43: "possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object"; col.4, lines 50-57; col.7, lines 66-67: "become available for user selection"; and col.8, lines 8-11: "user selects the clipboard entry");

the application program running on the second computer, responsive to user selection of the user prompt, copying the transferred contents and format to the clipboard of the operating system running at the second computer (see col.8, lines 9-29: "passes the data to CLIPBOARD B… CLIPBOARD B forwards the data to APPN B").

Maltby does not explicitly teach that the messaging application program is an Instant Messaging (IM) application program running an IM window.

Agrawal teaches that a messaging application program is an Instant Messaging (IM) application program running an IM window (see col.2, [0030]: "The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) application program running an IM window. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which

are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

As per **claim 13**, Maltby teaches a method of communications between first and second computers having an open connection (see Fig.2), the first and second computers running respective application programs providing a window at each computer for displaying an exchange of text messages (see col.6, lines 33-36: "both the first and second computers run conferencing applications, which are responsible for exchanging messages between the first and second computer"), the method comprising operations of:

the application programs cooperatively replicating contents and format of a clipboard provided by an operating system running at the first computer in a clipboard provided by an operating system running at the second computer (see col.7, lines 49-50: "The contents of CLIPBOARD A are thus reproduced on CLIPBOARD B" and col.9, lines 1-4: "transmits all the available clipboard formats, thereby allowing general clipboard transfer over the network");

where the replicating operations comprise:

responsive to the first computer receiving a predetermined user input sequence including invocation of a predetermined paste command of the operating system running at the first computer (see col.1, lines 51-58: "The user (generally with a mouse and cursor) would identify the text to be copied from the first (server) application, and then select the appropriate menu option to place this text the clipboard"), where the user input sequence is performed in

conjunction with the window at the first computer (see col.6, lines 34-44: "The conferencing applications are also responsible for interacting via the clipboard with the first and second applications at their respective computers"), the program running on the first computer presenting an acknowledgement message in conjunction with the window of the first computer (see col.4, lines 41-44: "receiving notification that the first application has submitted material to the clipboard");

responsive to the IM application program running on the first computer receiving user entry of a send command, performing operations comprising:

the application program running on the first computer uploading contents and format of the clipboard of the operating system running at the first computer, and transferring said uploaded contents and format to the second computer (see col.3, lines 28-38: "contains extra information over and above the bit map, text, or whatever representing the appearance of the object: it also contains… a native format"; and col.7, lines 32-36: "CLIP SEND uses the COMMS system to send a message to terminal B");

the IM application program running on the second computer presenting a user prompt in conjunction with the window of the second computer (see col.3, lines 38-43: "possible by double clicking on the object as seen from the target application to launch the server application and

use it to process the object"; col.7, lines 66-67: "become available for user selection"; and col.8, lines 8-11: "user selects the clipboard entry");

the application program running on the second computer, responsive to receiving user selection of the user prompt (see col.3, lines 23-25: "At this stage the pasted material is visible as if a normal clipboard transfer had been performed"; lines 38-43: "possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object"; col.4, lines 50-57; col.7, lines 66-67: "become available for user selection"; and col.8, lines 8-11: "user selects the clipboard entry"), copying the transferred contents and format to the clipboard of operating system running at the second computer (see col.8, lines 9-29: "passes the data to CLIPBOARD B… CLIPBOARD B forwards the data to APPN B").

Maltby does not explicitly teach that the messaging application program is an Instant Messaging (IM) application program running an IM window.

Agrawal teaches that a messaging application program is an Instant Messaging (IM) application program running an IM window (see col.2, [0030]: "The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) application program running an IM window. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which

are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

As per **claim 14**, Maltby teaches a method of communications between first and second computers having an open connection (see Fig.2), the first and second computers running respective application programs providing a window at each computer for displaying an exchange of text messages (see col.6, lines 33-36: "both the first and second computers run conferencing applications, which are responsible for exchanging messages between the first and second computer"), the method comprising operations of:

the application programs cooperatively replicating contents and format of a clipboard provided by an operating system running at the first computer in a clipboard provided by an operating system running at the second computer (see col.7, lines 49-50: "The contents of CLIPBOARD A are thus reproduced on CLIPBOARD B" and col.9, lines 1-4: "transmits all the available clipboard formats, thereby allowing general clipboard transfer over the network");

where the replicating operations comprise:

responsive to the application program running on the first computer receiving user entry of a send command, performing operations comprising:

the application program running on the first computer sending notice of the paste to the application program running on the second computer (see col.3, lines 28-38: "contains extra information over and above the bit map, text, or whatever representing the appearance of the object: it also contains… a native

format"; and col.7, lines 32-36: "CLIP SEND uses the COMMS system to send a message to terminal B");

the application program running on the second computer presenting a user prompt in conjunction with the window of the second computer (see col.3, lines 23-25: "At this stage the pasted material is visible as if a normal clipboard transfer had been performed"; lines 38-43: "possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object"; col.4, lines 50-57; col.7, lines 66-67: "become available for user selection"; and col.8, lines 8-11: "user selects the clipboard entry");

responsive to receiving user selection of the user prompt, performing operations comprising:

the application program running on the first computer uploading contents and format of the clipboard of the operating system running at the first computer, and transferring said uploaded contents and format to the second computer (see col.3, lines 28-38: "contains extra information over and above the bit map, text, or whatever representing the appearance of the object: it also contains… a native format"; and col.7, lines 32-36: "CLIP SEND uses the COMMS system to send a message to terminal B");

the application program running on the second computer copying the transferred contents and format to the clipboard of the operating system running

at the second computer (see col.8, lines 9-29: “passes the data to CLIPBOARD B… CLIPBOARD B forwards the data to APPN B”).

Maltby does not explicitly teach that the messaging application program is an Instant Messaging (IM) application program running an IM window.

Agrawal teaches that a messaging application program is an Instant Messaging (IM) application program running an IM window (see col.2, [0030]: “The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) application program running an IM window. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

As per **claim 15**, Maltby teaches a method of communications between first and second computers having an open connection (see Fig.2), the first and second computers running respective application programs providing a window at each computer for displaying an exchange of text messages (see col.6, lines 33-36: ”both the first and second computers run conferencing applications, which are responsible for exchanging messages between the first and second computer”), the method comprising operations of:

the application programs cooperatively replicating contents and format of a clipboard provided by an operating system running at the first computer in a clipboard provided by an operating system running at the second computer (see col.7, lines 49-50: "The contents of CLIPBOARD A are thus reproduced on CLIPBOARD B" and col.9, lines 1-4: "transmits all the available clipboard formats, thereby allowing general clipboard transfer over the network");

where the replicating operation comprises responsive to the first computer receiving a predetermined user input sequence including invocation of a predetermined paste command of the operating system running at the first computer (see col.1, lines 51-58: "The user (generally with a mouse and cursor) would identify the text to be copied from the first (server) application, and then select the appropriate menu option to place this text the clipboard"), where the predetermined user input sequence is performed in conjunction with the window at the first computer (see col.6, lines 34-44: "The conferencing applications are also responsible for interacting via the clipboard with the first and second applications at their respective computers"), the application program running on the first computer performing at least one of:

uploading contents and format of the clipboard of the operating system running at the first computer (see col.7, lines 58-60: "to obtain the list of formats in which the data on the clipboard is available");

uploading contents and format of the clipboard of the operating system running at the first computer and transferring the uploaded contents and format to the second computer (see col.3, lines 28-38: "contains extra information over and above the bit

map, text, or whatever representing the appearance of the object: it also contains… a native format"; and col.7, lines 32-36: "CLIP SEND uses the COMMS system to send a message to terminal B");

sending notice of the paste to the application program running on the second computer (see col.4, lines 41-44: "receiving notification that the first application has submitted material to the clipboard").

Maltby does not explicitly teach that the messaging application program is an Instant Messaging (IM) application program running an IM window.

Agrawal teaches that a messaging application program is an Instant Messaging (IM) application program running an IM window (see col.2, [0030]: "The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) application program running an IM window. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

As per **claim 20**, Maltby teaches a process of communications between first and second computers having an open text messaging link (see Fig.2), the computers running respective text messaging application programs providing a text messaging

window at each computer for displaying an exchange of text messages (see col.6, lines 33-36: ”both the first and second computers run conferencing applications, which are responsible for exchanging messages between the first and second computer”), the process comprising operations of:

replicating contents and format of a first computer's operating system clipboard in an operating system clipboard of a second computer, where the replicating operation is conducted responsive to coordinated user instructions submitted via respective text messaging application programs of the first and second computers (see col.7, lines 49-50: “The contents of CLIPBOARD A are thus reproduced on CLIPBOARD B” and col.9, lines 1-4: “transmits all the available clipboard formats);

where the operation of replicating contents and format of the clipboard includes suspending display of the clipboard contents from the windows and displaying system messages instead (see col.3, lines 23-25: “At this stage the pasted material is visible as if a normal clipboard transfer had been performed”; lines 38-43: “possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object”; col.4, lines 50-57; col.7, lines 66-67: “become available for user selection”; and col.8, lines 8-11: “user selects the clipboard entry”).

Maltby does not explicitly teach an IM window.

Agrawal teaches an IM window (see col.2, [0030]: “The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) window. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

As per **claim 21**, Maltby teaches a computer-readable storage media containing a first program for installing a second program, the second program when installed on multiple target computers performing operations for communications between first and second computers having an open connection (see Fig.2), the first and second computers running respective application programs providing a window at each computer for displaying an exchange of text messages (see col.6, lines 33-36: "both the first and second computers run conferencing applications, which are responsible for exchanging messages between the first and second computer"), the operations comprising:

the application programs cooperatively replicating contents and format of a clipboard provided by an operating system running at the first computer in a clipboard provided by an operating system running at the second computer (see col.7, lines 49-50: "The contents of CLIPBOARD A are thus reproduced on CLIPBOARD B" and col.9, lines 1-4: "transmits all the available clipboard formats, thereby allowing general clipboard transfer over the network");

where the operation of replicating the contents is completed only in response to performance of each of the following actions:

the first computer receiving a predetermined user input sequence including invocation of a predetermined clipboard paste command of the operating system running at the first computer (see col.1, lines 51-58: "The user (generally with a mouse and cursor) would identify the text to be copied from the first (server) application, and then select the appropriate menu option to place this text the clipboard"), where the predetermined user input sequence is performed in conjunction with the window at the first computer (see col.6, lines 34-44: "The conferencing applications are also responsible for interacting via the clipboard with the first and second applications at their respective computers");

the application program running on the second computer presenting a user prompt in conjunction with the window of the second computer (see col.3, lines 23-25: "At this stage the pasted material is visible as if a normal clipboard transfer had been performed"; lines 38-43: "possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object"; col.4, lines 50-57; col.7, lines 66-67: "become available for user selection"; and col.8, lines 8-11: "user selects the clipboard entry"), the user prompt including notification that clipboard contents and format from the first computer are available to the second computer (see col.3, lines 28-38: "contains extra information over and above the bit map, text, or whatever representing the appearance of the object: it also contains… a native format");

the application program running on the second computer detecting user selection of the user prompt (see col.7, lines 64-67: "and become available for user selection").

Maltby does not explicitly teach that the messaging application program is an Instant Messaging (IM) application program running an IM window.

Agrawal teaches that a messaging application program is an Instant Messaging (IM) application program running an IM window (see col.2, [0030]: "The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) application program running an IM window. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

As per **claim 22**, Maltby teaches a computer-readable storage media containing a first program for installing a second program, the second program when installed on multiple target computers performing operations for communications between first and second computers having an open link (see Fig.2), the computers running respective application programs providing a window at each computer for displaying an exchange of text messages (see col.6, lines 33-36: "both the first and second computers run

conferencing applications, which are responsible for exchanging messages between the first and second computer"), the operations comprising:

replicating contents and format of a first computer's operating system clipboard in an operating system clipboard of a second computer, where the replicating operation is conducted responsive to coordinated user instructions submitted at each of the computers via interfaces provided by windows of respective application programs (see col.7, lines 49-50: "The contents of CLIPBOARD A are thus reproduced on CLIPBOARD B" and col.9, lines 1-4: "transmits all the available clipboard formats, thereby allowing general clipboard transfer over the network");

where the operation of replicating contents and format of the clipboard includes suspending display of the clipboard contents from the windows and displaying system messages instead (see col.3, lines 23-25: "At this stage the pasted material is visible as if a normal clipboard transfer had been performed"; lines 38-43: "possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object"; col.4, lines 50-57; col.7, lines 66-67: "become available for user selection"; and col.8, lines 8-11: "user selects the clipboard entry").

Maltby does not explicitly teach that the messaging application program is an Instant Messaging (IM) application program running an IM window.

Agrawal teaches that a messaging application program is an Instant Messaging (IM) application program running an IM window (see col.2, [0030]: "The URL can be

launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) application program running an IM window. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

As per **claim 25**, Maltby teaches a method of communications between first and second computers having an open connection (see Fig.2), the first and second computers running respective application programs providing a window at each computer for displaying an exchange of text messages (see col.6, lines 33-36: "both the first and second computers run conferencing applications, which are responsible for exchanging messages between the first and second computer"), the method comprising operations of:

responsive to occurrence of at least a minimal set of actions in conjunction with the windows (see col.1, lines 51-58: "The user (generally with a mouse and cursor) would identify the text to be copied from the first (server) application, and then select the appropriate menu option to place this text the clipboard"), the application programs automatically negotiating reproduction of contents and format of a clipboard provided by an operating system running at the first computer in a clipboard provided by an

operating system running at the second computer (see col.7, lines 49-50: "The contents of CLIPBOARD A are thus reproduced on CLIPBOARD B" and col.9, lines 1-4: "transmits all the available clipboard formats, thereby allowing general clipboard transfer over the network");

where the negotiating operation include suspending display of the clipboard contents from the windows and displaying system messages instead (see col.3, lines 23-25: "At this stage the pasted material is visible as if a normal clipboard transfer had been performed");

where the minimal set of actions includes:

the application program running on the first computer detecting invocation of a predetermined clipboard paste command of the operating system running at the first computer in conjunction with the window at the first computer (see col.1, lines 51-58: "The user (generally with a mouse and cursor) would identify the text to be copied from the first (server) application, and then select the appropriate menu option to place this text the clipboard");

the application program running on the second computer, presenting a user prompt in conjunction with the window of the second computer (see col.3, lines 38-43: "possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object"), the user prompt including notification that clipboard contents and format from the first computer are available to the second computer (see col.3, lines contains extra

information over and above the bit map, text, or whatever representing the appearance of the object: it also contains… a native format");

the IM application program running on the second computer detecting user selection of the user prompt (see col.7, lines 64-67: "and become available for user selection").

Maltby does not explicitly teach that the messaging application program is an Instant Messaging (IM) application program running an IM window.

Agrawal teaches that a messaging application program is an Instant Messaging (IM) application program running an IM window (see col.2, [0030]: "The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) application program running an IM window. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

As per **claim 26**, Maltby teaches a method of communications between first and second computers having an open connection (see Fig.2), the first and second computers running respective application programs providing a window at each computer for displaying an exchange of text messages (see col.6, lines 33-36: "both the

first and second computers run conferencing applications, which are responsible for exchanging messages between the first and second computer"), the method comprising operations of:

responsive to receiving user instructions entered in conjunction with at least one of the windows (see col.1, lines 51-58: "The user (generally with a mouse and cursor) would identify the text to be copied from the first (server) application, and then select the appropriate menu option to place this text the clipboard"), the application program at the first computer importing contents and format of a clipboard provided by an operating system running at the first computer (see col.7, lines 49-50: "The contents of CLIPBOARD A are thus reproduced on CLIPBOARD B" and col.9, lines 1-4: "transmits all the available clipboard formats, thereby allowing general clipboard transfer over the network"), where the application program suspends display of the clipboard contents from the window and displaying one or more system messages instead (see col.3, lines 23-25: "At this stage the pasted material is visible as if a normal clipboard transfer had been performed"; lines 38-43: "possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object"; col.4, lines 50-57; col.7, lines 66-67: "become available for user selection"; and col.8, lines 8-11: "user selects the clipboard entry");

responsive to receiving user instructions entered in conjunction with at least one of the windows (see col.6, lines 34-44: "The conferencing applications are also responsible for interacting via the clipboard with the first and second applications at their respective computers"), the application program at the first computer transmitting the

uploaded contents and format to the application program at the second computer (see col.3, lines 28-38: "contains extra information over and above the bit map, text, or whatever representing the appearance of the object: it also contains… a native format"; and col.7, lines 32-36: "CLIP SEND uses the COMMS system to send a message to terminal B");

responsive to receiving user instructions entered in conjunction with the window of the first computer (see col.6, lines 34-44: "The conferencing applications are also responsible for interacting via the clipboard with the first and second applications at their respective computers"), the application program at the second computer presenting a user prompt indicating that clipboard contents and format from the first computer are available to the second computer, the application program at the second computer suspending display of the clipboard contents from the window at the second computer (see col.3, lines 23-25: "At this stage the pasted material is visible as if a normal clipboard transfer had been performed"; lines 38-43: "possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object"; col.4, lines 50-57; col.7, lines 66-67: "become available for user selection"; and col.8, lines 8-11: "user selects the clipboard entry");

responsive to the second computer detecting predetermined user selection in conjunction with the user prompt (see col.3, lines 38-43: "possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object"), importing the transmitted contents and format into a clipboard

provided by an operating system running at the second computer (see col.8, lines 9-29: "passes the data to CLIPBOARD B… CLIPBOARD B forwards the data to APPN B").

Maltby does not explicitly teach that the messaging application program is an Instant Messaging (IM) application program running an IM window.

Agrawal teaches that a messaging application program is an Instant Messaging (IM) application program running an IM window (see col.2, [0030]: "The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) application program running an IM window. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

As per **claim 27**, Maltby teaches a method of communications between first and second computers having an open connection (see Fig.2), the first and second computers running respective application programs providing a window at each computer for displaying an exchange of text messages (see col.6, lines 33-36: "both the first and second computers run conferencing applications, which are responsible for exchanging messages between the first and second computer"), the method comprising operations of:

responsive to the first computer receiving a predetermined user input sequence including invocation of a predetermined clipboard paste command of the operating system running at the first computer (see col.1, lines 51-58: "The user (generally with a mouse and cursor) would identify the text to be copied from the first (server) application, and then select the appropriate menu option to place this text the clipboard"), where the predetermined user input sequence is performed in conjunction with the window at the first computer (see col.6, lines 34-44: "The conferencing applications are also responsible for interacting via the clipboard with the first and second applications at their respective computers"), responsive to the first computer receiving the predetermined user input sequence, the first computer displaying a system message in lieu of displaying contents of the clipboard, in the IM window of the first computer (see col.4, lines 41-44: "receiving notification that the first application has submitted material to the clipboard");

responsive to user entry in conjunction with at least one of the windows (see col.6, lines 34-44: "The conferencing applications are also responsible for interacting via the clipboard with the first and second applications at their respective computers"), the application program at the first computer importing contents and format from a clipboard provided by an operating system running at the first computer (see col.3, lines 28-38: "contains extra information over and above the bit map, text, or whatever representing the appearance of the object: it also contains… a native format"; and col.7, lines 32-36: "CLIP SEND uses the COMMS system to send a message to terminal B");

responsive to user entry in conjunction with at least one of the windows (see col.6, lines 34-44: "The conferencing applications are also responsible for interacting via the clipboard with the first and second applications at their respective computers"), the application program at the first computer transmitting the uploaded contents and format to the application program at the second computer (see col.3, lines 28-38: "contains extra information over and above the bit map, text, or whatever representing the appearance of the object: it also contains… a native format"; and col.7, lines 32-36: "CLIP SEND uses the COMMS system to send a message to terminal B");

responsive to user entry in conjunction with the window of the first computer (see col.6, lines 34-44: "The conferencing applications are also responsible for interacting via the clipboard with the first and second applications at their respective computers"), the application program at the second computer, in lieu of displaying contents of the clipboard in the window of the second computer, displaying a user prompt indicating that clipboard contents and format from the first computer are available to the second computer (see col.3, lines 23-25: "At this stage the pasted material is visible as if a normal clipboard transfer had been performed"; lines 38-43: "possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object"; col.4, lines 50-57; col.7, lines 66-67: "become available for user selection"; and col.8, lines 8-11: "user selects the clipboard entry"), the user prompt including a link (see col.2, lines 22-23: "In DDE a link is set up to copy data from a first application (the server) to a second application (the client)");

responsive to the second computer detecting user activation of the link (see col.3, lines 38-43: "possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object"), performing operations including importing the transmitted contents and format into a clipboard provided by an operating system running at the second computer (see col.8, lines 9-29: "passes the data to CLIPBOARD B… CLIPBOARD B forwards the data to APPN B").

Maltby does not explicitly teach that the messaging application program is an Instant Messaging (IM) application program running an IM window.

Agrawal teaches that a messaging application program is an Instant Messaging (IM) application program running an IM window (see col.2, [0030]: "The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) application program running an IM window. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

Maltby does not explicitly teach of a user prompt including a hyperlink.

Agrawal teaches a user prompt including a hyperlink (see col.2, [0030]: "The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging").

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal by implementing a user prompt including a hyperlink. One would be motivated to do so because hyperlink is a user-friendly means (click or select) of referencing or navigating to the data and automatically bringing the data to the user. Maltby teaches of linking to retrieve a copy of the data from the server (see col.2, lines 22-29).

As per **claim 28**, Maltby teaches a method of communications between first and second computers having an open connection (see Fig.2), the first and second computers having respective first and second users, the first and second computers running respective first and second application programs providing respective first and second windows for displaying an exchange of text messages (see col.6, lines 33-36: "both the first and second computers run conferencing applications, which are responsible for exchanging messages between the first and second computer"), the method comprising operations of:

responsive to initial actions including at minimum the first user activating a command to paste contents of a first clipboard provided by an operating system at the first computer into the window of the first computer, the first program suspending display of first clipboard contents from the first window and instead presenting a system

message acknowledging said actions (see col.3, lines 23-25: “At this stage the pasted material is visible as if a normal clipboard transfer had been performed”);

responsive to said initial actions or further actions by the first user entered in the first window, the second window presenting a prompt to the second user to accept the first clipboard contents into a second clipboard provided by an operating system running at the second computer (see col.3, lines 23-25: “At this stage the pasted material is visible as if a normal clipboard transfer had been performed”; lines 38-43: “possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object”; col.4, lines 50-57; col.7, lines 66-67: “become available for user selection”; and col.8, lines 8-11: “user selects the clipboard entry”);

responsive to acceptance actions including, at minimum, the second program detecting the second user accepting the prompt, the second program causing operations to place a copy of the first clipboard contents into the second clipboard (see col.7, lines 49-50: “The contents of CLIPBOARD A are thus reproduced on CLIPBOARD B”);

where an operations of uploading the first clipboard contents into the first program is conducted in response to the initial actions, further actions, or acceptance actions (see col.3, lines 38-43: “possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object”; and col.7, lines 35-36: “CLIP SEND uses the COMMS system to send a message to terminal B to activate another routine”);

where an operation of transmitting the first clipboard contents to the second computer are conducted in response to further actions or the acceptance actions (see col.7, lines 35-36: "CLIP SEND uses the COMMS system to send a message to terminal B to activate another routine").

Maltby does not explicitly teach that the messaging application program is an Instant Messaging (IM) application program running an IM window.

Agrawal teaches that a messaging application program is an Instant Messaging (IM) application program running an IM window (see col.2, [0030]: "The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) application program running an IM window. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

As per **claim 29**, Maltby teaches method of communications between first and second computers having an open connection (see Fig.2), the first and second computers having respective first and second users, the first and second computers running respective first and second application programs providing respective first and second windows for displaying an exchange of text messages (see col.6, lines 33-36:

"both the first and second computers run conferencing applications, which are responsible for exchanging messages between the first and second computer"), the method comprising:

responsive to occurrence of prescribed user actions entered via user interfaces features provided by the windows, the application programs automatically negotiating reproduction of contents and format of a clipboard provided by an operating system running at the first computer in a clipboard provided by an operating system running at the second computer, where the negotiating operation includes the application programs suspending display of the clipboard contents from the windows and displaying system messages instead (see col.3, lines 23-25: "At this stage the pasted material is visible as if a normal clipboard transfer had been performed"; lines 38-43: "possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object"; col.4, lines 50-57; col.7, lines 66-67: "become available for user selection"; and col.8, lines 8-11: "user selects the clipboard entry").

Maltby does not explicitly teach that the messaging application program is an Instant Messaging (IM) application program running an IM window.

Agrawal teaches that a messaging application program is an Instant Messaging (IM) application program running an IM window (see col.2, [0030]: "The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) application program running an IM window. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

As per **claim 30**, Maltby teaches a method of exchanging data between first and second computers with respective first and second messaging programs installed thereon (see col.6, lines 33-36: "both the first and second computers run conferencing applications, which are responsible for exchanging messages between the first and second computer"), where respective first and second IM windows are provided by the IM programs, where the first and second computers include first and second operating system clipboards (see col.7, lines 7-10: "have clipboards ("CLIPBOARD A" AND "CLIPBOARD B" respectively"), and the first and second computers are operated by first and second users, the method comprising:

first user invoking a predetermined paste command to paste contents of the first clipboard into the first IM window, and the first IM program responding by suspending display of contents of the first clipboard and displaying a system message instead (see col.3, lines 23-25: "At this stage the pasted material is visible as if a normal clipboard transfer had been performed");

in response to the paste command or a further command issued by the first user:

the first IM program sending notice to the second IM program of a request to transfer contents of the first clipboard to the second computer (see col.3, lines 38-43: “possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object”);

the second IM window presenting a prompt notifying the second user of the request (see col.3, lines 23-25: “At this stage the pasted material is visible as if a normal clipboard transfer had been performed”);

responsive to the first user invoking the paste command, or the further commands, or the second user accepting the prompt, the IM programs cooperatively transferring contents and format of the first clipboard from first computer to the second computer (see col.3, lines 38-43: “possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object”; and col.7, lines 35-36: “CLIP SEND uses the COMMS system to send a message to terminal B to activate another routine”);

in response to the second user accepting the prompt, the second IM program populating the second operating system clipboard with the transferred format and contents of the first clipboard (see col.7, lines 49-50: “The contents of CLIPBOARD A are thus reproduced on CLIPBOARD B”);

at all times, the second IM program suspending display of the transferred clipboard contents from the second IM window (see col.3, lines 23-25: “At this stage the pasted material is visible as if a normal clipboard transfer had been performed”).

As per **claim 31**, Maltby teaches a method of copying data from one computer to another computer, where both computers are running programs configured to exchange text messages (see col.6, lines 33-36: ”both the first and second computers run conferencing applications, which are responsible for exchanging messages between the first and second computer”), comprising:

in response to users of the computers performing specified actions in conjunction with features of respective programs, the programs transmitting contents and format of first computer's operating system clipboard to the second computer and populating the second computer's operating system clipboard with the transmitted contents and format (see col.3, lines 28-38: “contains extra information over and above the bit map, text, or whatever representing the appearance of the object: it also contains… a native format”), where the programs further act to suspend display of the clipboard contents from the IM windows and present prescribed system messages instead (see col.3, lines 23-25: “At this stage the pasted material is visible as if a normal clipboard transfer had been performed”; lines 38-43: “possible by double clicking on the object as seen from the target application to launch the server application and use it to process the object”; col.4, lines 50-57; col.7, lines 66-67: “become available for user selection”; and col.8, lines 8-11: “user selects the clipboard entry”).

Maltby does not explicitly teach that the messaging application program is an Instant Messaging (IM) application program running an IM window.

Agrawal teaches that a messaging application program is an Instant Messaging (IM) application program running an IM window (see col.2, [0030]: "The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) application program running an IM window. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

DEPENDENT:

As per **claim 16**, which depends on claim 11, Maltby further where completion of the replicating operation is conditioned on the application program running on the second computer receiving user selection of the user prompt (see col.8, lines 9-29).

Maltby does not explicitly teach that the messaging application program is an Instant Messaging (IM) application.

Agrawal teaches that a messaging application program is an Instant Messaging (IM) application program (see col.2, [0030]: "The URL can be launched or copied to the

clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal so that messaging application program is an Instant Messaging (IM) application program. One would be motivated to do so because Maltby teaches that the applications running on terminal A and terminal B are conferencing software which are essentially enhancements to the known prior art data communications software (see col.7, lines 17-22).

As per **claim 17**, which depends on claim 11, Maltby does not explicitly teach that the user prompt comprising a hyperlink.

Agrawal teaches that the user prompts comprising a hyperlink (see col.2, [0030]: "The URL can be launched or copied to the clipboard with one click, making it easy to share the URL with others via e-mail or instant messaging").

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Maltby in view of Agrawal by implementing a user prompt comprising a hyperlink. One would be motivated to do so because hyperlink is a user-friendly means (click or select) of referencing or navigating to the data and automatically bringing the data to the user. Maltby teaches of linking to retrieve a copy of the data from the server (see col.2, lines 22-29).

As per **claim 18**, which depends on claim 16, Maltby further teaches that the clipboard of the operating system running at the first computer having been populated

by a document fragment from a given source application program (see col.1, lines 51-54);

the user prompt further including identification of the given source application program (see col.8, lines 40-43).

As per **claim 19**, which depends on claim 16, Maltby further teaches that the clipboard of the operating system running at the first computer having been populated by differently formatted versions of a document fragment from a source application program (see col.1, lines 34-35);

the replicating operation placing the differently formatted versions of the document fragment into the clipboard of the operating system of the second computer (see col.1, lines 27-31), reserving choice as between the versions to any application programs running on the second computer receiving a predetermined user input sequence including invocation of a predetermined paste command of the operating system running at the second computer (see col.1, lines 35-37).

As per **claim 23**, which depends on claim 11, Maltby teaches further comprising: responsive to the first computer receiving the predetermined user input sequence, the first computer displaying a system message in lieu of displaying contents of the clipboard in the IM window of the first computer (see col.4, lines 41-44).

As per **claim 24**, which depends on claim 11, Maltby further teaches where the operation of the IM application program running on the second computer presenting a user prompt in conjunction with the IM Window of the second computer is performed in lieu of any display in the IM window of the second computer of the clipboard provided by

the operating system running at the first computer (see col.3, lines 38-43; col.7, lines 66-67; and col.8, lines 8-11).

Response to Arguments

6. Applicant's arguments with respect to claims 11-27 have been considered but are moot in view of the new ground(s) of rejection. Maltby alone remains to teach all the limitations of claim 20 and Maltby teaches all the limitations of claims 11-19 and 21-27 except the element of an "Instant Messaging (IM)" and "hyperlink". Agrawal has been cited to explicitly teach the missing limitations.

The applicant(s) argue that Maltby lacks any concern with the "user interface for replicating the format and content of an operating system clipboard".

In response, although Maltby does not stress the "user interface" aspect of the invention, Maltby is very concerned with "replicating the format and content of the operating system clipboard" (see col.4, lines 45-54 and throughout Maltby's patent). Maltby however, teaches that the OLE is implemented by conferencing software, which is designated as peer-to-peer software known to one of ordinary skill in the art to encompass text messaging. However, clarify or discern and ambiguities, the examiner has cited Agrawal, who clearly teaches of an Instant Messaging application. For these reasons, amended claim 11 remains rejected.

Based on the argument above, the claims 12-27 have also been rejected.

Agrawal is cited merely to teach the limitation of an “instant messaging application” and a “hyperlink” because Maltby explicitly teaches all the other limitations of the presently pending claims.

Response to Arguments

6. Applicant's arguments filed January 24, 2008 have been fully considered but they are not persuasive.

A. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). Clearly one of ordinary skill in the art would agree that messaging applications of Maltby can be practiced with instant messaging applications because Maltby teaches the applications running on terminal A and terminal B are conferencing software (see col.7, lines 17-22) and instant messaging is one of plural means for conferencing.

B. In response to applicant's argument that the references are nonanalogous art and lacks other required components of the prima facie case of obviousness, where a claimed improvement on a device or apparatus is no more than "the simple

substitution of one known element for another or the mere application of a known technique to a piece of prior art ready for improvement," the claim is unpatentable under 35 U.S.C. 103(a). Ex Parte Smith, 83 USPQ.2d 1509, 1518-19 (BPAI, 2007) (citing KSR v. Teleflex, 127 S.Ct. 1727, 1740, 82 USPQ2d 1385, 1396 (2007)).

Accordingly, the applicant claims a combination that only unites old elements with no change in the respective functions of those old elements, and the combination of those elements yields predictable results; absent evidence that the modifications necessary to effect the combination of elements is uniquely challenging or difficult for one of ordinary skill in the art, the claim is unpatentable as obvious under 35 U.S.C. 103(a). Ex Parte Smith, 83 USPQ.2d at 1518-19 (BPAI, 2007) (citing KSR, 127 S.Ct. at 1740, 82 USPQ2d at1396.

Accordingly, since the applicant(s) have submitted no persuasive evidence that the combination of the above elements is uniquely challenging or difficult for one of ordinary skill in the art, the claim is unpatentable as obvious under 35 U.S.C. 103(a) because it is no more than the predictable use of prior art elements according to their established functions resulting in the simple substitution of one known element for another or the mere application of a known technique to a piece of prior art ready for improvement.

C. The applicant's arguments with respect to claim 20 have been considered but are moot in view of the new ground(s) of rejection. Based on the amendment, claim 20 now stands rejected under 35 U.S.C. 103(a) as being unpatentable over Maltby et al. (US 6,202,100 B1) in view of Agrawal et al. (US 2003/0120680 A1).

D. The applicant's argue that although Maltby teaches "conferencing software", he lacks an explicitly teaching of a "user interface for clipboard transfer". Maltby clearly and explicitly teaches that the conversation of the conferencing software actually occur between two windows (see col.2, lines 59-62). With regard to Maltby further lacking teaching an IM window, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Agrawal is relied upon to teach the missing limitation of an IM application/IM window. The applicant's seem to be asserting that since Maltby does not explicitly teach an IM interface (i.e. IM window), there is no motivation to combine Agrawal's teaching of an IM application.

E. In response to the applicant's argument regarding detailed analysis of claim 11, specifically that Maltby fails to teach the limitation "the first computer receiving a predetermined user input sequence including invocation of a predetermined clipboard paste command of the operating system running at the first computer, where the predetermined user input sequence is performed in conjunction with the IM window at the first computer", the examiner disagrees. The applicant's seem to assert that this is somehow a novel function not taught by Maltby. Again, the examiner reiterates that Maltby teaches a window for communicating via the conferencing software and Agrawal teaches of an IM window (see Response to Arguments part D above). Maltby further teaches that the user "select the appropriate menu option to place this text in the clipboard" (see col.1, lines 51-58). This clearly teaches the broad limitation of "a

predetermined user input sequence including invocation of a predetermined clipboard paste command". If the applicant's believe that this is somehow a novel step in the method claimed, the applicant's are encouraged to explicitly recite the functional steps that depart from prior art teachings. Furthermore, during patent examination, the pending claims must be given their broadest reasonable interpretation consistent with the specification. See In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). While the claims of issued patents are interpreted in light of the specification, prosecution history, prior art and other claims, this is not the mode of claim interpretation to be applied during examination. During examination, the claims must be interpreted as broadly as their terms reasonably allow. See In re American Academy of Science Tech Center, F.3d 2004 WL 1067528 (Fed. Cir. May 13, 2004).

F. In response to the applicant's argument regarding detailed analysis of claim 11, specifically that Maltby fails to teach the limitation "the application program running on the second computer presenting a user prompt in conjunction with the window of the second computer, the user prompt including notification that clipboard contents and format from the first computer are available to the second computer", the examiner disagrees. Maltby teaches of a "normal clipboard transfer" (see col.3, lines 23-25). Clearly to one of ordinary skill in the art, a normal clipboard transfer operation occurs in the steps of a user highlighting information, (data, text, image, ect.), copying onto a clipboard (right-click, save or cntrl-c), and the pasting the information in the clipboard (right-click, paste or cntrl-v). Maltby further teaches that the clipboard transfer in the invention employs Microsoft Windows' Object linking and Embedding (OLE) (see

col.3, lines 4-12). The OLE is not the actual data itself, but merely an object (i.e. executable script, hyperlink, icon, user prompt window, ect.). Maltby goes on to teach that by double clicking on the object seen from the target application (i.e. window at the second computer), the object is processed and launches the sender's clipboard application (see col.3, lines 38-43). Cleary, the combination of Maltby's teachings, teach this broad limitation. Again, Maltby only fails to teach that the conferencing software is an IM application and thus fails to teach an IM window.

Furthermore, what the applicant's are asserting is deficient in Maltby, it can be shown in Agrawal to clearly teach these limitations and the same arguments will apply (see Agrawal page 2, paragraph [0030]). Copying and pasting via messaging window using URL's to point to the clipboard is prior art.

G. In response to the arguments with regard to the rest of the pending independent claims, the applicant's are directed to the responses to claim 11.

Conclusion

7. For the reasons above, claims 11-31 remain rejected and pending.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL Y. WON whose telephone number is (571)272-3993. The examiner can normally be reached on M-Th: 10AM-8PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Won/

Primary Examiner

March 26, 2008